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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/639,413	08/14/2000	Mitsugu Ishihara	450100-02646	1012

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FROMMER LAWRENCE & HAUG  
745 FIFTH AVENUE- 10TH FL.  
NEW YORK, NY 10151

EXAMINER

NATNAEL, PAULO S M

ART UNIT	PAPER NUMBER
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2614

DATE MAILED: 03/11/2004

16

Please find below and/or attached an Office communication concerning this application or proceeding.

DM

# Office Action Summary

Application No.

09/639,413

Applicant(s)

ISHIHARA ET AL.

Examiner

Paulos M. Natnael

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1-7** are rejected under 35 U.S.C. 103(a) as being unpatentable over Garland, U.S. Pat. No. 6,366,359.

Considering claim **1**, Garland discloses the following claimed subject matter, note;

a) the claimed a reception antenna for receiving television broadcast, is implied in the integrated digital television signal receiver (and video printer) of the type disclosed by Garland.

c) the claimed a data frame memory for transiently storing therein data from the received television broadcast representative of only one image, in which said one image is the same as that currently displayed by said picture display device, is met by buffer 212, fig.2, which stores a video image of at least one frame. (col. 8, lines 6-8)

d) the claimed printing command inputting means for inputting a command for printing a desired image selected from the images displayed on said picture display device, is met by the print command button 110 on the remote controller 106, fig.1;

e) the claimed printing command outputting means for reading out the desired image from the data memory, is met by remote controller and Control means 210 which is coupled to synchronizing means 206 and allows a user to selectively view decompressed stored digital video signal 215 corresponding to images stored in buffer 212 and to print a hard copy of a selected image on printing means 216. Control means 210 may be any conventional control circuit comprising, for example, a remote control 106 as shown in FIG. 1, or in an alternate embodiment, a control panel 111. (col. 4, lines 33-40)

f) the claimed picture data synthesis means for synthesizing the received television broadcast with the desired image, thereby generating synthesized image data for display on the picture display device, is met by synchronizing means 206, fig.2; (see also the disclosure on col. 4, lines 20-32)

Except for;

b) the claimed display data outputting means for outputting the received television broadcast to a picture display device;

Regarding b), Garland does not specifically disclose a separate display data outputting means for outputting picture data. However, the Examiner takes official notice here in that it is well known in the art that display systems comprise a display outputting means such a display controller or an encoder and, therefore, it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Garland by providing a display data outputting means such as an encoder for outputting the data as display data, in order for the image data to be displayed properly as desired by the user or viewer.

Considering claim **2**, the claimed wherein said picture display device is connected over an internal bus to said display data outputting means is implied in a digital television system such as Garland's.

Considering claim **3**, wherein said printing device is connected over an internal bus to said printing command outputting means is met by line 215 connecting second decompressor 214 and printing means 216, Fig.2;

Claim **4** is a method claim of claim 1, and therefore, Claim 4 is rejected for the same reasons as claim 1.

Considering claim **5**, the claimed wherein the step of synthesizing the received television broadcast with the desired image is terminated when said printing device

prints the desired image, is implied here since the user activates the print process from a print preview mode, and the synthesizing step of the image would be terminated when the printing job is completed

Considering claim 6, wherein the step of synthesizing the received television broadcast with the desired image is terminated when a command for terminating the display the synthesized image data is inputted.

Regarding claim 6, see rejection of claim 5. (see also remote control print command button in Figs. 1 & 6)

Considering claim 7, wherein the step of synthesizing the received television broadcast with the desired image is terminated when a pre-set time has elapsed.

Regarding claim 7, although Garland does not specifically disclose termination of print image when a pre-set time has elapsed, the Examiner here takes Official Notice in that it is well known in the art to automatically terminate a process after a predetermined time has elapsed and allow the system to revert to a previous mode and wait for further command or instruction and, thus, it would have been obvious to the skilled in the art at the time the invention was made to modify the system of Garland by providing a termination process as in a software program, so that the system may not unnecessarily waste processing time and power.

### ***Response to Arguments***

3. Applicant's arguments filed January 26, 2004 have been fully considered but they are not persuasive. Response follows:

#### **Applicant's Arguments**

Garland specifically discloses that its buffer 212 stores a plurality of images.

Accordingly, since the buffer 212 of Garland stores a plurality of images, such a buffer is not the same as "a data frame memory..." In fact, Garland appears to teach away from such change. Garland specifically enables a user to "forward or rewind" through the image stored in the buffer in order to select an image for printing when system 200 is in print preview mode...[therefore] independent claim 4 is distinguishable from Garland.

#### **Examiner's Response**

Garland discloses an integrated digital television and video printer comprising a buffer memory 212 for temporarily storing the compressed signal before outputting it to the second decompressor 214 as desired. Frame buffers are notoriously well known in the art for storing one image such as a frame of a video signal temporarily, momentarily or transiently. That, because the buffer memory is capable of storing more than one image, the buffer cannot be said to store one image, is quite a leap in

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argument. It is not also as if Garland is silent in this regard. For example, Garland teaches that "when the print preview mode is activated, split window screen 104 appears on display area 102. Using remote control 106 or main control panel 111, the user can then view images of the stored broadcast and can select a particular frame of an image to be printed." (col. 3, lines 44-49) Furthermore, Garland teaches that a buffer memory, receiving the compressed digital video signal, for storing at least one static image from the compressed digital video signal including information corresponding to at least one frame; (col. 6, lines 52-55) and "storing at least one static image of the compressed digital video signal including information corresponding to at least one frame". (col. 8, lines 6-8) Hence, to the skilled in the art it is obvious that a buffer can be used to store only one image or, if desired, more images can also be stored in the buffer 212. Therefore, the argument that Garland does not appear to disclose "a data memory for transiently storing data from the received television broadcast representative of only one image, in which said one image is the same as that currently displayed by said picture display device", because the buffer 212 "stores a plurality of images" not only one image and that "forward or rewind" through one image would not be necessary, is unpersuasive, because, as shown above, Garland clearly discloses storing at least one frame in the buffer memory 212.



Wataya et al. U.S. Pat. No. 6,275,306 discloses an image processing system converting the pixel aspect ratio, that processes images received in HDTV set, the system including a frame memory and printer.

Ko, U. S. Pat. No. 5,497,204 discloses a picture memory system for video printer.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Paulos M. Natnael whose telephone number is (703) 305-0019. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Miller can be reached on (703) 305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PMN  
March 6, 2004

 3/6/04  
**PAULOS M. NATNAEL**  
**PATENT EXAMINER**